

Amendment under 37 C.F.R. § 1.111
U.S. Application No. 10/800,677

Attorney Docket No. Q80194

AMENDMENTS TO THE DRAWINGS

Corrected FIG. 3 having the designation "PRIOR ART" is hereby submitted.

Attachment: 1 Sheet of Replacement Drawing

REMARKS

Status of the Application

Claims 1-6 have been examined in the present application. Claims 2 and 6 stand rejected under 35 U.S.C. § 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. Claims 1, 3, 4, and 5 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Saito (U.S. 6,514,091) in view of Kato (U.S. 6,846,183). Claim 2 and 6 are patentable over the prior art.

By this Amendment, Applicant is amending claims 1-6 and is adding new claims 7 and 8.

Rejection of Claims under 35 U.S.C. § 112

Claims 2 and 6 stand rejected under 35 U.S.C. § 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Applicant has corrected the noted deficiencies. Withdrawal of the rejection is hereby respectfully requested.

Rejection of Claims under 35 U.S.C. § 103(a)

Claims 1, 3, 4, and 5 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent 6,514,091 to Saito in view of U.S. Patent 6,846,183 to Kato.

Initially, Applicant notes that Kato qualifies as prior art under §102(e) by virtue of its December 2, 2003 filing date. Further, Kato's effective filing date of December 2, 2003 is after the effective filing date (March 17, 2003) of the Japanese Priority Document (JP 2003-071337) for the present application. Accordingly, Applicant is submitting a verified English translation

of the Japanese Priority Document (JP 2003-017337) in order to perfect priority and antedate the Kato reference filed December 2, 2003.

Therefore, Kato is not prior art under §103(a) and cannot cure the defects noted by the Examiner in Saito. Thus, claim 1 is patentable over the applied art. Claims 3, 4 and 5 are patentable at least by virtue of their dependency from claim 1.

New Claims

Claims 7 and 8 are dependent from claim 1. Therefore, claims 7 and 8 are patentable at least by virtue of their dependency from claim 1.

Conclusion

In view of the above, reconsideration and allowance of this application are now believed to be in order, and such actions are hereby solicited. If any points remain in issue which the Examiner feels may be best resolved through a personal or telephone interview, the Examiner is kindly requested to contact the undersigned at the telephone number listed below.

The USPTO is directed and authorized to charge all required fees, except for the Issue Fee and the Publication Fee, to Deposit Account No. 19-4880. Please also credit any overpayments to said Deposit Account.

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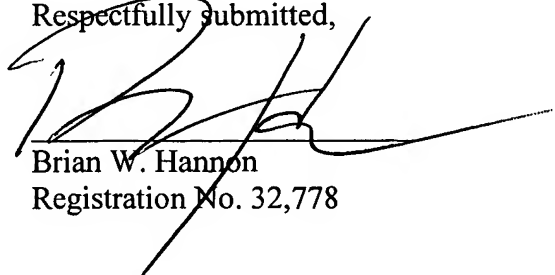
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CUSTOMER NUMBER

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Respectfully submitted,



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